

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF DELAWARE**

In re:

AMYRIS, INC., *et al.*,

Debtors.¹

Chapter 11

Case No. 23-11131 (TMH)

(Jointly Administered)

Hearing Date: December 12, 2023 at 10:00 a.m. (ET)
Objection Deadline: November 14, 2023 at 4:00 p.m. (ET)

**DEBTORS' REPLY IN SUPPORT OF MOTION FOR ENTRY OF AN ORDER
ESTABLISHING CONFIRMATION DISCOVERY SCHEDULE AND PROTOCOLS**

The above-captioned debtors and debtors-in-possession (the “Debtors”), respectfully submit the following reply (this “Reply”) in support of the *Debtor’s Motion for Entry of an Order Establishing Confirmation Discovery Schedule and Protocols* [Docket No. 688] (the “Motion”) and in response to the objections to the Motion filed by Lavvan [Docket No. 731] (the “Lavvan Objection”) and the Ad Hoc Cross-Holder Group [Docket No. 860] (the “Cross-Holder Objection”) and, together with the Lavvan Objection, the “Objections”):

1. On November 6, 2023, the Debtors filed the Motion seeking entry of an order establishing the schedule and protocols in connection with the confirmation of the *Debtors’ Chapter 11 Plan of Reorganization* [Docket No. 523] (as filed on October 12, 2023, the “Original Plan” and as may be amended, modified, or supplemented from time to time, the “Plan”).²

¹ A complete list of each of the Debtors in these Chapter 11 Cases may be obtained on the website of the Debtors’ claims and noticing agent at <https://cases.stretto.com/Amyris>. The location of Debtor Amyris Inc.’s principal place of business and the Debtors’ service address in these Chapter 11 Cases is 5885 Hollis Street, Suite 100, Emeryville, CA 94608.

² Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to them in the Plan or the *Disclosure Statement for Debtors’ Chapter 11 Plan of Reorganization* [Docket No. 524] (the “Disclosure Statement”), as applicable.

2. Through the Motion, the Debtors seek to have the Court set an orderly, efficient course toward confirmation of the Plan. The schedule and protocols proposed by the Motion were designed to afford all parties in interest a full and fair opportunity to participate in a reasonable discovery framework while maintaining an expeditious timeframe for confirmation and were patterned after similar frameworks utilized in large chapter 11 cases.

3. The Debtors have worked with Lavvan and the Ad Hoc Cross-Holder Group in furtherance of reaching a consensual resolution of the Objections. To that end, attached hereto as **Exhibit A** is an amended proposed order granting the Motion (the “Proposed Order”)³ that fully addresses the Cross-Holder Objection and—but for a single issue—resolves the Lavvan Objection. The Debtors believe that Lavvan’s remaining objection, which concerns a hypothetical scenario in which other Objecting Parties refuse to fairly share deposition time with Lavvan, is addressed by the Proposed Order; in such a situation in which one or more Objecting Parties refuse to coordinate and cooperate with Lavvan, Lavvan can (and should) seek this Court’s assistance. However, a witness should not be forced to sit for more than seven hours of deposition time because Objecting Parties are unable to work together efficiently and cooperatively.

³ Attached hereto as **Exhibit B** is a redline comparison of the Proposed Order against the form of order attached to the Motion.

WHEREFORE, the Debtors respectfully request that the Court overrule the Objections and grant the relief requested in the Motion, and such other relief as the Court deems appropriate under the circumstances.

Dated: December 11, 2023

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